

REMARKS

Claims 1-20 were rejected.

Claim 10 is canceled without prejudice. Thus, the objection to the drawings is requested to be withdrawn.

The abstract has been amended to address the objection thereto.

Claims 3, 11 and 19 are amended to address the objections thereto.

Claims 11 and 17 were rejected under 35 U.S.C. 112, second paragraph. Claims 11 and 17 have been amended to address this rejection.

Claims 1-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,570,782 to Kikuchi et al. It is respectfully submitted that claims 1-6 are not unpatentable over Kikuchi.

Kikuchi does not disclose a card body having an inner layer for attachment to an article, as recited in claim 1, and by dependency in claims 2-6. The Office action identifies element 122 of Kikuchi as being an article. However, element 122 of Kikuchi is a disk cartridge 122 which is removable from the disk cartridge case 1. Thus, Kikuchi does not disclose, and in fact teaches away from, attaching the disk cartridge 122 to the case body 2. If the disk cartridge 122 were attached to the case body 2 of Kikuchi, it would be difficult to slide the disk cartridge 122 from within the case body 2.

Claims 7-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi in view of U.S. Patent No. 6,234,477 to Scrymgeour et al. It is respectfully submitted that claims 7-9 are not unpatentable over Kikuchi in view of Scrymgeour.

As discussed above with respect to claim 1, from which claims 7-9 depend, Kikuchi does not disclose, and indeed teaches away from, attaching an article to an inner layer of a card body. Moreover, Scrymgeour also does not disclose an article attached to an inner layer of a card body. Instead, Scrymgeour merely discloses a lottery ticket assembly 1 having a first ticket portion 10 and a second ticket portion 12. Scrymgeour does not disclose or suggest a ganging feature for its lottery ticket assembly 1. Thus, the proposed combination of Kikuchi and Scrymgeour would not result in the backcard recited in claims 7-9.

Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi in view of Scrymgeour and in further view of U.S. Patent No. 5,123,527 to Hustad. Claim 10 has been canceled without prejudice.

Claims 11-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hustad. It is respectfully submitted that claims 11-14 are not unpatentable over Hustad.

The Office action, pp. 9 and 10, asserts that "it would have been obvious to...modify the notch...to be used as a hanging feature" and that "the notch being an upward protuberance capable of receiving a hanging nail." It is unclear how the Office action proposes to modify the notch. If an attempt were made to hang the Hustad container by the notch 42 on a nail, the container of Figure 16 would have to be inverted. An attempt to place the notch 42 on a nail would then be unbalanced, as the notch would then be disposed at the lower end of the container.

Furthermore, Hustad fails to disclose a "hanging feature capable of being pulled outward from the surrounding backcard material and pivoted about 180° to allow the container to be hung therefrom." There is no disclosure in Hustad, or explanation in the Office action, of pivoting the notch 42.

In addition, any motivation to "modify" the notch is absent from Hustad, as a header 91 with an aperture 92 for hanging the container on a peg is already disclosed.

Claims 15-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hustad in further view of U.S. Patent No. 4,838,424 to Petzelt. Given the above discussion of Hustad with respect to claim 11, from which claims 15-19 depend, it is respectfully submitted that claims 15-19 are not unpatentable over Hustad in further view of Petzelt.

Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hustad in further view of Petzelt and further in view of Kikuchi. Given the above discussion of Hustad with respect to claim 11, from which claim 20 depends, it is respectfully submitted that claim 20 is not unpatentable over Hustad in further view of Petzelt and further in view of Kikuchi.

For the reasons set forth above, claims 1-9 and 11-20 are believed to be allowable over the cited references, and reconsideration and allowance of claims 1-9 and 11-20 are respectfully requested.

Application No. 10/670,010
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Reply to the Office action of October 13, 2005

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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